



THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

HON. SYLVIA O. HINDS-RADIX
Corporation Counsel

Hannah J. Sarokin
office: 212-356-8761
hsarokin@law.nyc.gov

May 11, 2022

BY ECF

Hon. Katherine Polk Failla
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

MEMO ENDORSED

Re: Y.Y. et ano. v. New York City Department of Education,
22-cv-1897 (KPF) (JLC)

Your Honor:

I am an Assistant Corporation Counsel in the Office of the Corporation Counsel assigned to represent Defendant New York City Department of Education (DOE) in the above-referenced action. Plaintiffs allege that they received a favorable decision on the merits in an underlying administrative hearing and that they had not yet received reimbursement from Defendant for certain Applied Behavioral Analysis special education services to which they are entitled, totaling \$22,281.25 at the time the Complaint was filed. I write to respectfully request an extension of time for Defendant to respond to Plaintiffs' Complaint, from May 13, 2022 until June 13, 2022, and that the Initial Pre-Trial Conference, currently scheduled for May 26, 2022, be adjourned.

Plaintiffs filed the Complaint on March 5, 2022 (Dkt. No. 1) and Defendant was served on March 24, 2022 (Dkt. No. 6). Defendant requested an initial 30-day extension on April 12, 2022 (Dkt. No. 8). Since that time, the parties have confirmed that DOE paid the alleged \$22,281.25 owed for Applied Behavioral Analysis services prior to the filing of the Complaint. DOE records also indicate that all subsequent invoices submitted by the provider have been paid and there are currently no outstanding invoices. Plaintiffs are presently confirming this information. The additional time would allow the parties to continue to exchange information, and I am hopeful this matter can be resolved without need for further judicial intervention.

Additionally, Defendant requests that the Initial Pre-Trial Conference currently scheduled for May 26, 2022 be similarly adjourned by 30 days, or to a date convenient for the Court, which Defendant submits would allow for a more productive conference, if necessary.

This is Defendant's second request for an extension and adjournment. Plaintiffs consent to both of these requests.

Thank you for your consideration.

Yours,

/s/

Hannah J. Sarokin
Assistant Corporation Counsel

cc. BY ECF
Plaintiffs' counsel

Application GRANTED. Defendant shall respond to the Complaint on or before **June 13, 2022**. Further, the initial pretrial conference scheduled in this matter for May 26, 2022, is hereby ADJOURNED to **June 23, 2022, at 3:00 p.m.** The Clerk of Court is directed to terminate the pending motion at docket number 10.

Dated: May 12, 2022
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE